

108TH CONGRESS
2D SESSION

H. R. 4492

AN ACT

To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes.

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To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

TITLE I—EXTENSIONS

SECTION 101. AUTHORIZATION AND APPROPRIATION EXTENSIONS.

Division II of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 16 U.S.C. 461 note) is amended—

(1) in each of sections 107, 208, 408, 507, 811, and 910, by striking “September 30, 2012” and inserting “September 30, 2027”;

(2) in each of sections 108(a), 209(a), 409(a), 508(a), 812(a), and 909(c), by striking “\$10,000,000” and inserting “\$20,000,000”; and

(3) in title VIII, by striking “Canal National Heritage Corridor” each place it appears in the section headings and text and inserting “National Heritage Canalway”.

TITLE II—NATIONAL AVIATION HERITAGE AREA

SEC. 201. SHORT TITLE.

This title may be cited as the “National Aviation Heritage Area Act”.

SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Few technological advances have transformed the world or our Nation’s economy, society,

1 culture, and national character as the development
2 of powered flight.

3 (2) The industrial, cultural, and natural herit-
4 age legacies of the aviation and aerospace industry
5 in the State of Ohio are nationally significant.

6 (3) Dayton, Ohio, and other defined areas
7 where the development of the airplane and aerospace
8 technology established our Nation's leadership in
9 both civil and military aeronautics and astronautics
10 set the foundation for the 20th Century to be an
11 American Century.

12 (4) Wright-Patterson Air Force Base in Day-
13 ton, Ohio, is the birthplace, the home, and an inte-
14 gral part of the future of aerospace.

15 (5) The economic strength of our Nation is con-
16 nected integrally to the vitality of the aviation and
17 aerospace industry, which is responsible for an esti-
18 mated 11,200,000 American jobs.

19 (6) The industrial and cultural heritage of the
20 aviation and aerospace industry in the State of Ohio
21 includes the social history and living cultural tradi-
22 tions of several generations.

23 (7) The Department of the Interior is respon-
24 sible for protecting and interpreting the Nation's
25 cultural and historic resources, and there are signifi-

1 cant examples of these resources within Ohio to
2 merit the involvement of the Federal Government to
3 develop programs and projects in cooperation with
4 the Aviation Heritage Foundation, Incorporated, the
5 State of Ohio, and other local and governmental en-
6 tities to adequately conserve, protect, and interpret
7 this heritage for the educational and recreational
8 benefit of this and future generations of Americans,
9 while providing opportunities for education and revi-
10 talization.

11 (8) Since the enactment of the Dayton Aviation
12 Heritage Preservation Act of 1992 (Public Law
13 102–419), partnerships among the Federal, State,
14 and local governments and the private sector have
15 greatly assisted the development and preservation of
16 the historic aviation resources in the Miami Valley.

17 (9) An aviation heritage area centered in
18 Southwest Ohio is a suitable and feasible manage-
19 ment option to increase collaboration, promote herit-
20 age tourism, and build on the established partner-
21 ships among Ohio’s historic aviation resources and
22 related sites.

23 (10) A critical level of collaboration among the
24 historic aviation resources in Southwest Ohio cannot
25 be achieved without a congressionally established na-

1 tional heritage area and the support of the National
2 Park Service and other Federal agencies which own
3 significant historic aviation-related sites in Ohio.

4 (11) The Aviation Heritage Foundation, Incorporated,
5 would be an appropriate management entity
6 to oversee the development of the National Aviation
7 Heritage Area.

8 (12) Five National Park Service and Dayton
9 Aviation Heritage Commission studies and planning
10 documents: “Study of Alternatives: Dayton’s Aviation
11 Heritage”, “Dayton Aviation Heritage National
12 Historical Park Suitability/Feasibility Study”, “Dayton
13 Aviation Heritage General Management Plan”,
14 “Dayton Historic Resources Preservation and Development
15 Plan”, and Heritage Area Concept Study,
16 demonstrated that sufficient historical resources
17 exist to establish the National Aviation Heritage
18 Area.

19 (13) With the advent of the 100th anniversary
20 of the first powered flight in 2003, it is recognized
21 that the preservation of properties nationally significant
22 in the history of aviation is an important goal
23 for the future education of Americans.

24 (14) Local governments, the State of Ohio, and
25 private sector interests have embraced the heritage

1 area concept and desire to enter into a partnership
2 with the Federal government to preserve, protect,
3 and develop the Heritage Area for public benefit.

4 (15) The National Aviation Heritage Area
5 would complement and enhance the aviation-related
6 resources within the National Park Service, espe-
7 cially the Dayton Aviation Heritage National Histor-
8 ical Park, Ohio.

9 (b) PURPOSE.—The purpose of this title is to estab-
10 lish the Heritage Area to—

11 (1) encourage and facilitate collaboration
12 among the facilities, sites, organizations, govern-
13 mental entities, and educational institutions within
14 the Heritage Area to promote heritage tourism and
15 to develop educational and cultural programs for the
16 public;

17 (2) preserve and interpret for the educational
18 and inspirational benefit of present and future gen-
19 erations the unique and significant contributions to
20 our national heritage of certain historic and cultural
21 lands, structures, facilities, and sites within the Na-
22 tional Aviation Heritage Area;

23 (3) encourage within the National Aviation
24 Heritage Area a broad range of economic opportuni-

1 ties enhancing the quality of life for present and fu-
2 ture generations;

3 (4) provide a management framework to assist
4 the State of Ohio, its political subdivisions, other
5 areas, and private organizations, or combinations
6 thereof, in preparing and implementing an inte-
7 grated Management Plan to conserve their aviation
8 heritage and in developing policies and programs
9 that will preserve, enhance, and interpret the cul-
10 tural, historical, natural, recreation, and scenic re-
11 sources of the Heritage Area; and

12 (5) authorize the Secretary to provide financial
13 and technical assistance to the State of Ohio, its po-
14 litical subdivisions, and private organizations, or
15 combinations thereof, in preparing and implementing
16 the private Management Plan.

17 **SEC. 203. DEFINITIONS.**

18 For purposes of this title:

19 (1) BOARD.—The term “Board” means the
20 Board of Directors of the Foundation.

21 (2) FINANCIAL ASSISTANCE.—The term “finan-
22 cial assistance” means funds appropriated by Con-
23 gress and made available to the management entity
24 for the purpose of preparing and implementing the
25 Management Plan.

1 (3) HERITAGE AREA.—The term “Heritage
2 Area” means the National Aviation Heritage Area
3 established by section 104 to receive, distribute, and
4 account for Federal funds appropriated for the pur-
5 pose of this title.

6 (4) MANAGEMENT PLAN.—The term “Manage-
7 ment Plan” means the management plan for the
8 Heritage Area developed under section 106.

9 (5) MANAGEMENT ENTITY.—The term “man-
10 agement entity” means the Aviation Heritage Foun-
11 dation, Incorporated (a nonprofit corporation estab-
12 lished under the laws of the State of Ohio).

13 (6) PARTNER.—The term “partner” means a
14 Federal, State, or local governmental entity, organi-
15 zation, private industry, educational institution, or
16 individual involved in promoting the conservation
17 and preservation of the cultural and natural re-
18 sources of the Heritage Area.

19 (7) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 (8) TECHNICAL ASSISTANCE.—The term “tech-
22 nical assistance” means any guidance, advice, help,
23 or aid, other than financial assistance, provided by
24 the Secretary.

1 **SEC. 204. NATIONAL AVIATION HERITAGE AREA.**

2 (a) ESTABLISHMENT.—There is established in the
3 States of Ohio and Indiana, the National Aviation Herit-
4 age Area.

5 (b) BOUNDARIES.—The Heritage Area shall include
6 the following:

7 (1) A core area consisting of resources in Mont-
8 gomery, Greene, Warren, Miami, Clark, Champaign,
9 Shelby, and Auglaize Counties in Ohio.

10 (2) Space Museum, Wapakoneta, Ohio.

11 (3) Sites, buildings, and districts within the
12 core area recommended by the Management Plan.

13 (c) MAP.—A map of the Heritage Area shall be in-
14 cluded in the Management Plan. The map shall be on file
15 in the appropriate offices of the National Park Service,
16 Department of the Interior.

17 (d) MANAGEMENT ENTITY.—The management entity
18 for the Heritage Area shall be the Aviation Heritage
19 Foundation.

20 **SEC. 205. AUTHORITIES AND DUTIES OF THE MANAGEMENT**
21 **ENTITY.**

22 (a) AUTHORITIES.—For purposes of implementing
23 the Management Plan, the management entity may use
24 Federal funds made available through this title to—

25 (1) make grants to, and enter into cooperative
26 agreements with, the State of Ohio and political sub-

1 divisions of that State, private organizations, or any
2 person;

3 (2) hire and compensate staff; and

4 (3) enter into contracts for goods and services.

5 (b) DUTIES.—The management entity shall—

6 (1) develop and submit to the Secretary for ap-
7 proval the proposed Management Plan in accordance
8 with section 106;

9 (2) give priority to implementing actions set
10 forth in the Management Plan, including taking
11 steps to assist units of government and nonprofit or-
12 ganizations in preserving resources within the Herit-
13 age Area;

14 (3) consider the interests of diverse govern-
15 mental, business, and nonprofit groups within the
16 Heritage Area in developing and implementing the
17 Management Plan;

18 (4) maintain a collaboration among the part-
19 ners to promote heritage tourism and to assist part-
20 ners to develop educational and cultural programs
21 for the public;

22 (5) encourage economic viability in the Heritage
23 Area consistent with the goals of the Management
24 Plan;

1 (6) assist units of government and nonprofit or-
2 ganizations in—

3 (A) establishing and maintaining interpre-
4 tive exhibits in the Heritage Area;

5 (B) developing recreational resources in
6 the Heritage Area;

7 (C) increasing public awareness of and ap-
8 preciation for the historical, natural, and archi-
9 tectural resources and sites in the Heritage
10 Area; and

11 (D) restoring historic buildings that relate
12 to the purposes of the Heritage Area;

13 (7) conduct public meetings at least quarterly
14 regarding the implementation of the Management
15 Plan;

16 (8) submit substantial amendments to the Man-
17 agement Plan to the Secretary for the approval of
18 the Secretary; and

19 (9) for any year in which Federal funds have
20 been received under this title—

21 (A) submit an annual report to the Sec-
22 retary that sets forth the accomplishments of
23 the management entity and its expenses and in-
24 come;

1 (B) make available to the Secretary for
2 audit all records relating to the expenditure of
3 such funds and any matching funds; and

4 (C) require, with respect to all agreements
5 authorizing expenditure of Federal funds by
6 other organizations, that the receiving organiza-
7 tions make available to the Secretary for audit
8 all records concerning the expenditure of such
9 funds.

10 (c) USE OF FEDERAL FUNDS.—

11 (1) IN GENERAL.—The management entity
12 shall not use Federal funds received under this title
13 to acquire real property or an interest in real prop-
14 erty.

15 (2) OTHER SOURCES.—Nothing in this title
16 precludes the management entity from using Federal
17 funds from other sources for authorized purposes.

18 **SEC. 206. MANAGEMENT PLAN.**

19 (a) PREPARATION OF PLAN.—Not later than 3 years
20 after the date of the enactment of this title, the manage-
21 ment entity shall submit to the Secretary for approval a
22 proposed Management Plan that shall take into consider-
23 ation State and local plans and involve residents, public
24 agencies, and private organizations in the Heritage Area.

1 (b) CONTENTS.—The Management Plan shall incor-
2 porate an integrated and cooperative approach for the pro-
3 tection, enhancement, and interpretation of the natural,
4 cultural, historic, scenic, and recreational resources of the
5 Heritage Area and shall include the following:

6 (1) An inventory of the resources contained in
7 the core area of the Heritage Area, including the
8 Dayton Aviation Heritage Historical Park, the sites,
9 buildings, and districts listed in section 202 of the
10 Dayton Aviation Heritage Preservation Act of 1992
11 (Public Law 102–419), and any other property in
12 the Heritage Area that is related to the themes of
13 the Heritage Area and that should be preserved, re-
14 stored, managed, or maintained because of its sig-
15 nificance.

16 (2) An assessment of cultural landscapes within
17 the Heritage Area.

18 (3) Provisions for the protection, interpretation,
19 and enjoyment of the resources of the Heritage Area
20 consistent with the purposes of this title.

21 (4) An interpretation plan for the Heritage
22 Area.

23 (5) A program for implementation of the Man-
24 agement Plan by the management entity, including
25 the following:

1 (A) Facilitating ongoing collaboration
2 among the partners to promote heritage tour-
3 ism and to develop educational and cultural
4 programs for the public.

5 (B) Assisting partners planning for res-
6 toration and construction.

7 (C) Specific commitments of the partners
8 for the first 5 years of operation.

9 (6) The identification of sources of funding for
10 implementing the plan.

11 (7) A description and evaluation of the manage-
12 ment entity, including its membership and organiza-
13 tional structure.

14 (c) DISQUALIFICATION FROM FUNDING.—If a pro-
15 posed Management Plan is not submitted to the Secretary
16 within 3 years of the date of the enactment of this title,
17 the management entity shall be ineligible to receive addi-
18 tional funding under this title until the date on which the
19 Secretary receives the proposed Management Plan.

20 (d) APPROVAL AND DISAPPROVAL OF MANAGEMENT
21 PLAN.—The Secretary, in consultation with the State of
22 Ohio, shall approve or disapprove the proposed Manage-
23 ment Plan submitted under this title not later than 90
24 days after receiving such proposed Management Plan.

1 (e) ACTION FOLLOWING DISAPPROVAL.—If the Sec-
2 retary disapproves a proposed Management Plan, the Sec-
3 retary shall advise the management entity in writing of
4 the reasons for the disapproval and shall make rec-
5 ommendations for revisions to the proposed Management
6 Plan. The Secretary shall approve or disapprove a pro-
7 posed revision within 90 days after the date it is sub-
8 mitted.

9 (f) APPROVAL OF AMENDMENTS.—The Secretary
10 shall review and approve substantial amendments to the
11 Management Plan. Funds appropriated under this title
12 may not be expended to implement any changes made by
13 such amendment until the Secretary approves the amend-
14 ment.

15 **SEC. 207. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER**
16 **FEDERAL AGENCIES.**

17 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—Upon
18 the request of the management entity, the Secretary may
19 provide technical assistance, on a reimbursable or non-
20 reimbursable basis, and financial assistance to the Herit-
21 age Area to develop and implement the management plan.
22 The Secretary is authorized to enter into cooperative
23 agreements with the management entity and other public
24 or private entities for this purpose. In assisting the Herit-

1 age Area, the Secretary shall give priority to actions that
2 in general assist in—

3 (1) conserving the significant natural, historic,
4 cultural, and scenic resources of the Heritage Area;
5 and

6 (2) providing educational, interpretive, and rec-
7 reational opportunities consistent with the purposes
8 of the Heritage Area.

9 (b) DUTIES OF OTHER FEDERAL AGENCIES.—Any
10 Federal agency conducting or supporting activities directly
11 affecting the Heritage Area shall—

12 (1) consult with the Secretary and the manage-
13 ment entity with respect to such activities;

14 (2) cooperate with the Secretary and the man-
15 agement entity in carrying out their duties under
16 this title;

17 (3) to the maximum extent practicable, coordi-
18 nate such activities with the carrying out of such du-
19 ties; and

20 (4) to the maximum extent practicable, conduct
21 or support such activities in a manner which the
22 management entity determines will not have an ad-
23 verse effect on the Heritage Area.

1 **SEC. 208. COORDINATION BETWEEN THE SECRETARY AND**
2 **THE SECRETARY OF DEFENSE AND THE AD-**
3 **MINISTRATOR OF NASA.**

4 The decisions concerning the execution of this title
5 as it applies to properties under the control of the Sec-
6 retary of Defense and the Administrator of the National
7 Aeronautics and Space Administration shall be made by
8 such Secretary or such Administrator, in consultation with
9 the Secretary of the Interior.

10 **SEC. 209. REQUIREMENTS FOR INCLUSION OF PRIVATE**
11 **PROPERTY.**

12 (a) NOTIFICATION AND CONSENT OF PROPERTY
13 OWNERS REQUIRED.—No privately owned property shall
14 be preserved, conserved, or promoted by the management
15 plan for the Heritage Area until the owner of that private
16 property has been notified in writing by the management
17 entity and has given written consent for such preservation,
18 conservation, or promotion to the management entity.

19 (b) LANDOWNER WITHDRAW.—Any owner of private
20 property included within the boundary of the Heritage
21 Area shall have their property immediately removed from
22 the boundary by submitting a written request to the man-
23 agement entity.

24 **SEC. 210. PRIVATE PROPERTY PROTECTION.**

25 (a) ACCESS TO PRIVATE PROPERTY.—Nothing in
26 this title shall be construed to—

1 (1) require any private property owner to allow
2 public access (including Federal, State, or local gov-
3 ernment access) to such private property; or

4 (2) modify any provision of Federal, State, or
5 local law with regard to public access to or use of
6 private property.

7 (b) LIABILITY.—Designation of the Heritage Area
8 shall not be considered to create any liability, or to have
9 any effect on any liability under any other law, of any pri-
10 vate property owner with respect to any persons injured
11 on such private property.

12 (c) RECOGNITION OF AUTHORITY TO CONTROL LAND
13 USE.—Nothing in this title shall be construed to modify
14 the authority of Federal, State, or local governments to
15 regulate land use.

16 (d) PARTICIPATION OF PRIVATE PROPERTY OWNERS
17 IN HERITAGE AREA.—Nothing in this title shall be con-
18 strued to require the owner of any private property located
19 within the boundaries of the Heritage Area to participate
20 in or be associated with the Heritage Area.

21 (e) EFFECT OF ESTABLISHMENT.—The boundaries
22 designated for the Heritage Area represent the area within
23 which Federal funds appropriated for the purpose of this
24 title may be expended. The establishment of the Heritage
25 Area and its boundaries shall not be construed to provide

1 any nonexisting regulatory authority on land use within
 2 the Heritage Area or its viewshed by the Secretary, the
 3 National Park Service, or the management entity.

4 **SEC. 211. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) IN GENERAL.—To carry out this title there is au-
 6 thorized to be appropriated \$10,000,000, except that not
 7 more than \$1,000,000 may be appropriated to carry out
 8 this title for any fiscal year.

9 (b) FIFTY PERCENT MATCH.—The Federal share of
 10 the cost of activities carried out using any assistance or
 11 grant under this title shall not exceed 50 percent.

12 **SEC. 212. SUNSET PROVISION.**

13 The authority of the Secretary to provide assistance
 14 under this title terminates on the date that is 15 years
 15 after the date that funds are first made available for this
 16 title.

17 **SEC. 213. STUDY REGARDING INCORPORATION OF WRIGHT**
 18 **COMPANY FACTORY AS A UNIT OF DAYTON**
 19 **AVIATION HERITAGE NATIONAL HISTORICAL**
 20 **PARK.**

21 (a) STUDY REQUIRED.—The Secretary shall conduct
 22 a special resource study updating the study required under
 23 section 104 of the Dayton Aviation Heritage Preservation
 24 Act of 1992 (Public Law 102–419) and detailing alter-
 25 natives for incorporating the Wright Company factory as

1 a unit of Dayton Aviation Heritage National Historical
2 Park, including detailing management and development
3 options and costs for each alternative.

4 (b) CONSULTATION.—In conducting the study, the
5 Secretary shall consult with the Delphi Corporation, the
6 Aviation Heritage Foundation, State and local agencies,
7 and other interested parties in the area.

8 (c) REPORT.—Not later than three years after funds
9 are first made available for this section, the Secretary
10 shall submit to the Committee on Resources of the House
11 of Representatives and the Committee on Energy and
12 Natural Resources of the Senate a report describing the
13 results of the study conducted under this section.

14 **TITLE III—NATIONAL COAL** 15 **HERITAGE AREA**

16 **SEC. 301. NATIONAL COAL HERITAGE AREA.**

17 (a) NATIONAL COAL HERITAGE AREA AUTHORITY;
18 BOUNDARY REVISION.—Title I of division II of the Omni-
19 bus Parks and Public Lands Management Act of 1996
20 (Public Law 104–333; 16 U.S.C. 461 note) is amended
21 as follows:

22 (1) In section 103(b), by inserting “(1)” before
23 “the counties” and by inserting the following before
24 the period: “; (2) Lincoln County, West Virginia;

1 and (3) Paint Creek and Cabin Creek in Kanawha
2 County, West Virginia”.

3 (2) In section 104, by striking “Governor” and
4 all that follows through “organizations” in the mat-
5 ter preceding paragraph (1) and inserting “National
6 Coal Heritage Area Authority, a public corporation
7 and government instrumentality established by the
8 State of West Virginia, pursuant to which the Sec-
9 retary shall assist the National Coal Heritage Area
10 Authority”.

11 (3) In section 105—

12 (A) by striking “paragraph (2) of”; and

13 (B) by adding at the end the following new
14 sentence: “Resources within Lincoln County,
15 West Virginia, and Paint Creek and Cabin
16 Creek within Kanawha County, West Virginia,
17 shall also be eligible for assistance as deter-
18 mined by the National Coal Heritage Area Au-
19 thority.”.

20 (4) In section 106(a)—

21 (A) by striking “Governor” and all that
22 follows through “and Parks” and inserting
23 “National Coal Heritage Area Authority”; and

24 (B) in paragraph (3), by striking “State of
25 West Virginia” and all that follows through

1 “entities” and inserting “National Coal Herit-
2 age Area Authority”.

3 (b) AGREEMENT CONTINUING IN EFFECT.—The con-
4 tractual agreement entered into by the Secretary of the
5 Interior and the Governor of West Virginia prior to the
6 date of the enactment of this Act pursuant to section 104
7 of title I of division II of the Omnibus Parks and Public
8 Lands Management Act of 1996 (16 U.S.C. 461 note)
9 shall be deemed as continuing in effect, except that such
10 agreement shall be between the Secretary and the Na-
11 tional Coal Heritage Area Authority.

12 **TITLE IV—COASTAL HERITAGE** 13 **TRAIL ROUTE IN NEW JERSEY**

14 **SEC. 401. REAUTHORIZATION OF APPROPRIATIONS FOR** 15 **COASTAL HERITAGE TRAIL ROUTE IN NEW** 16 **JERSEY.**

17 (a) REAUTHORIZATION.—Section 6 of Public Law
18 100–515 (16 U.S.C. 1244 note) is amended—

19 (1) in subsection (b)(1), by striking
20 “\$4,000,000” and all that follows and inserting
21 “such sums as may be necessary.”; and

22 (2) in subsection (c), by striking “10” and in-
23 serting “12”.

24 (b) STRATEGIC PLAN.—

1 (1) IN GENERAL.—The Secretary of the Inte-
2 rior shall, by not later than 2 years after the date
3 of the enactment of this Act, prepare a strategic
4 plan for the New Jersey Coastal Heritage Trail
5 Route.

6 (2) CONTENTS.—The strategic plan shall
7 describe—

8 (A) opportunities to increase participation
9 by national and local private and public inter-
10 ests in planning, development, and administra-
11 tion of the New Jersey Coastal Heritage Trail
12 Route; and

13 (B) organizational options for sustaining
14 the New Jersey Coastal Heritage Trail Route.

15 **TITLE V—ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR**

18 **SEC. 501. SHORT TITLE.**

19 This title may be cited as the “Illinois and Michigan
20 Canal National Heritage Corridor Act Amendments of
21 2004”.

1 **SEC. 502. TRANSITION AND PROVISIONS FOR NEW MANAGE-**
2 **MENT ENTITY.**

3 The Illinois and Michigan Canal National Heritage
4 Corridor Act of 1984 (Public Law 98–398; 16 U.S.C. 461
5 note) is amended as follows:

6 (1) In section 103—

7 (A) in paragraph (8), by striking “and”;

8 (B) in paragraph (9), by striking the pe-
9 riod and inserting “; and”; and

10 (C) by adding at the end the following:

11 “(10) the term ‘Association’ means the Canal
12 Corridor Association (an organization described
13 under section 501(c)(3) of the Internal Revenue
14 Code of 1986 and exempt from taxation under sec-
15 tion 501(a) of such Code).”.

16 (2) By adding at the end of section 112 the fol-
17 lowing new paragraph:

18 “(7) The Secretary shall enter into a memo-
19 randum of understanding with the Association to
20 help ensure appropriate transition of the manage-
21 ment entity to the Association and coordination with
22 the Association regarding that role.”.

23 (3) By adding at the end the following new sec-
24 tions:

1 **“SEC. 119. ASSOCIATION AS MANAGEMENT ENTITY.**

2 “Upon the termination of the Commission, the man-
3 agement entity for the corridor shall be the Association.

4 **“SEC. 120. DUTIES AND AUTHORITIES OF ASSOCIATION.**

5 “For purposes of preparing and implementing the
6 management plan developed under section 121, the Asso-
7 ciation may use Federal funds made available under this
8 title—

9 “(1) to make loans and grants to, and enter
10 into cooperative agreements with, States and their
11 political subdivisions, private organizations, or any
12 person;

13 “(2) to hire, train, and compensate staff; and

14 “(3) to enter into contracts for goods and serv-
15 ices.

16 **“SEC. 121. DUTIES OF THE ASSOCIATION.**

17 “The Association shall—

18 “(1) develop and submit to the Secretary for
19 approval under section 123 a proposed management
20 plan for the corridor not later than 2 years after
21 Federal funds are made available for this purpose;

22 “(2) give priority to implementing actions set
23 forth in the management plan, including taking
24 steps to assist units of local government, regional
25 planning organizations, and other organizations—

26 “(A) in preserving the corridor;

1 “(B) in establishing and maintaining inter-
2 pretive exhibits in the corridor;

3 “(C) in developing recreational resources
4 in the corridor;

5 “(D) in increasing public awareness of and
6 appreciation for the natural, historical, and ar-
7 chitectural resources and sites in the corridor;
8 and

9 “(E) in facilitating the restoration of any
10 historic building relating to the themes of the
11 corridor;

12 “(3) encourage by appropriate means economic
13 viability in the corridor consistent with the goals of
14 the management plan;

15 “(4) consider the interests of diverse govern-
16 mental, business, and other groups within the cor-
17 ridor;

18 “(5) conduct public meetings at least quarterly
19 regarding the implementation of the management
20 plan;

21 “(6) submit substantial changes (including any
22 increase of more than 20 percent in the cost esti-
23 mates for implementation) to the management plan
24 to the Secretary;

1 “(7) for any year in which Federal funds have
2 been received under this title—

3 “(A) submit an annual report to the Sec-
4 retary setting forth the Association’s accom-
5 plishments, expenses and income, and the iden-
6 tity of each entity to which any loans and
7 grants were made during the year for which the
8 report is made;

9 “(B) make available for audit all records
10 pertaining to the expenditure of such funds and
11 any matching funds; and

12 “(C) require, for all agreements author-
13 izing expenditure of Federal funds by other or-
14 ganizations, that the receiving organizations
15 make available for audit all records pertaining
16 to the expenditure of such funds.

17 **“SEC. 122. USE OF FEDERAL FUNDS.**

18 “(1) IN GENERAL.—The Association shall not
19 use Federal funds received under this title to acquire
20 real property or an interest in real property.

21 “(2) OTHER SOURCES.—Nothing in this title
22 precludes the Association from using Federal funds
23 from other sources for authorized purposes.

1 **“SEC. 123. MANAGEMENT PLAN.**

2 “(a) PREPARATION OF MANAGEMENT PLAN.—Not
3 later than 2 years after the date that Federal funds are
4 made available for this purpose, the Association shall sub-
5 mit to the Secretary for approval a proposed management
6 plan that shall—

7 “(1) take into consideration State and local
8 plans and involve residents, local governments and
9 public agencies, and private organizations in the cor-
10 ridor;

11 “(2) present comprehensive recommendations
12 for the corridor’s conservation, funding, manage-
13 ment, and development;

14 “(3) include actions proposed to be undertaken
15 by units of government and nongovernmental and
16 private organizations to protect the resources of the
17 corridor;

18 “(4) specify the existing and potential sources
19 of funding to protect, manage, and develop the cor-
20 ridor; and

21 “(5) include the following:

22 “(A) Identification of the geographic
23 boundaries of the corridor.

24 “(B) A brief description and map of the
25 corridor’s overall concept or vision that show

1 key sites, visitor facilities and attractions, and
2 physical linkages.

3 “(C) Identification of overall goals and the
4 strategies and tasks intended to reach them,
5 and a realistic schedule for completing the
6 tasks.

7 “(D) A listing of the key resources and
8 themes of the corridor.

9 “(E) Identification of parties proposed to
10 be responsible for carrying out the tasks.

11 “(F) A financial plan and other informa-
12 tion on costs and sources of funds.

13 “(G) A description of the public participa-
14 tion process used in developing the plan and a
15 proposal for public participation in the imple-
16 mentation of the management plan.

17 “(H) A mechanism and schedule for up-
18 dating the plan based on actual progress.

19 “(I) A bibliography of documents used to
20 develop the management plan.

21 “(J) A discussion of any other relevant
22 issues relating to the management plan.

23 “(b) DISQUALIFICATION FROM FUNDING.—If a pro-
24 posed management plan is not submitted to the Secretary
25 within 2 years after the date that Federal funds are made

1 available for this purpose, the Association shall be ineli-
2 gible to receive additional funds under this title until the
3 Secretary receives a proposed management plan from the
4 Association.

5 “(c) APPROVAL OF MANAGEMENT PLAN.—The Sec-
6 retary shall approve or disapprove a proposed manage-
7 ment plan submitted under this title not later than 180
8 days after receiving such proposed management plan. If
9 action is not taken by the Secretary within the time period
10 specified in the preceding sentence, the management plan
11 shall be deemed approved. The Secretary shall consult
12 with the local entities representing the diverse interests
13 of the corridor including governments, natural and historic
14 resource protection organizations, educational institutions,
15 businesses, recreational organizations, community resi-
16 dents, and private property owners prior to approving the
17 management plan. The Association shall conduct semi-an-
18 nual public meetings, workshops, and hearings to provide
19 adequate opportunity for the public and local and govern-
20 mental entities to review and to aid in the preparation and
21 implementation of the management plan.

22 “(d) EFFECT OF APPROVAL.—Upon the approval of
23 the management plan as provided in subsection (c), the
24 management plan shall supersede the conceptual plan con-
25 tained in the National Park Service report.

1 “(e) ACTION FOLLOWING DISAPPROVAL.—If the Sec-
2 retary disapproves a proposed management plan within
3 the time period specified in subsection (c), the Secretary
4 shall advise the Association in writing of the reasons for
5 the disapproval and shall make recommendations for revi-
6 sions to the proposed management plan.

7 “(f) APPROVAL OF AMENDMENTS.—The Secretary
8 shall review and approve all substantial amendments (in-
9 cluding any increase of more than 20 percent in the cost
10 estimates for implementation) to the management plan.
11 Funds made available under this title may not be ex-
12 pended to implement any changes made by a substantial
13 amendment until the Secretary approves that substantial
14 amendment.

15 **“SEC. 124. TECHNICAL AND FINANCIAL ASSISTANCE;**
16 **OTHER FEDERAL AGENCIES.**

17 “(a) TECHNICAL AND FINANCIAL ASSISTANCE.—
18 Upon the request of the Association, the Secretary may
19 provide technical assistance, on a reimbursable or non-
20 reimbursable basis, and financial assistance to the Asso-
21 ciation to develop and implement the management plan.
22 The Secretary is authorized to enter into cooperative
23 agreements with the Association and other public or pri-
24 vate entities for this purpose. In assisting the Association,

1 the Secretary shall give priority to actions that in general
2 assist in—

3 “(1) conserving the significant natural, historic,
4 cultural, and scenic resources of the corridor; and

5 “(2) providing educational, interpretive, and
6 recreational opportunities consistent with the pur-
7 poses of the corridor.

8 “(b) DUTIES OF OTHER FEDERAL AGENCIES.—Any
9 Federal agency conducting or supporting activities directly
10 affecting the corridor shall—

11 “(1) consult with the Secretary and the Asso-
12 ciation with respect to such activities;

13 “(2) cooperate with the Secretary and the Asso-
14 ciation in carrying out their duties under this title;

15 “(3) to the maximum extent practicable, coordi-
16 nate such activities with the carrying out of such du-
17 ties; and

18 “(4) to the maximum extent practicable, con-
19 duct or support such activities in a manner which
20 the Association determines is not likely to have an
21 adverse effect on the corridor.

22 **“SEC. 125. AUTHORIZATION OF APPROPRIATIONS.**

23 “(a) IN GENERAL.—To carry out this title there is
24 authorized to be appropriated \$10,000,000, except that

1 not more than \$1,000,000 may be appropriated to carry
 2 out this title for any fiscal year.

3 “(b) 50 PERCENT MATCH.—The Federal share of the
 4 cost of activities carried out using any assistance or grant
 5 under this title shall not exceed 50 percent of that cost.

6 **“SEC. 126. SUNSET.**

7 “The authority of the Secretary to provide assistance
 8 under this title terminates on September 30, 2027.”.

9 **SEC. 503. PRIVATE PROPERTY PROTECTION.**

10 The Illinois and Michigan Canal National Heritage
 11 Corridor Act of 1984 is further amended by adding after
 12 section 126 (as added by section 502 of this title) the fol-
 13 lowing new sections:

14 **“SEC. 127. REQUIREMENTS FOR INCLUSION OF PRIVATE**
 15 **PROPERTY.**

16 “(a) NOTIFICATION AND CONSENT OF PROPERTY
 17 OWNERS REQUIRED.—No privately owned property shall
 18 be preserved, conserved, or promoted by the management
 19 plan for the corridor until the owner of that private prop-
 20 erty has been notified in writing by the Association and
 21 has given written consent for such preservation, conserva-
 22 tion, or promotion to the Association.

23 “(b) LANDOWNER WITHDRAW.—Any owner of pri-
 24 vate property included within the boundary of the corridor,
 25 and not notified under subsection (a), shall have their

1 property immediately removed from the boundary of the
2 corridor by submitting a written request to the Associa-
3 tion.

4 **“SEC. 128. PRIVATE PROPERTY PROTECTION.**

5 “(a) ACCESS TO PRIVATE PROPERTY.—Nothing in
6 this title shall be construed to—

7 “(1) require any private property owner to
8 allow public access (including Federal, State, or local
9 government access) to such private property; or

10 “(2) modify any provision of Federal, State, or
11 local law with regard to public access to or use of
12 private property.

13 “(b) LIABILITY.—Designation of the corridor shall
14 not be considered to create any liability, or to have any
15 effect on any liability under any other law, of any private
16 property owner with respect to any persons injured on
17 such private property.

18 “(c) RECOGNITION OF AUTHORITY TO CONTROL
19 LAND USE.—Nothing in this title shall be construed to
20 modify the authority of Federal, State, or local govern-
21 ments to regulate land use.

22 “(d) PARTICIPATION OF PRIVATE PROPERTY OWN-
23 ERS IN CORRIDOR.—Nothing in this title shall be con-
24 strued to require the owner of any private property located

1 within the boundaries of the corridor to participate in or
2 be associated with the corridor.

3 “(e) EFFECT OF ESTABLISHMENT.—The boundaries
4 designated for the corridor represent the area within
5 which Federal funds appropriated for the purpose of this
6 title may be expended. The establishment of the corridor
7 and its boundaries shall not be construed to provide any
8 nonexisting regulatory authority on land use within the
9 corridor or its viewshed by the Secretary, the National
10 Park Service, or the Association.”.

11 **SEC. 504. TECHNICAL AMENDMENTS.**

12 Section 116 of Illinois and Michigan Canal National
13 Heritage Corridor Act of 1984 is amended—

14 (1) by striking subsection (b); and

15 (2) in subsection (a)—

16 (A) by striking “(a)” and all that follows
17 through “For each” and inserting “(a) For
18 each”;

19 (B) by striking “Commission” and insert-
20 ing “Association”;

21 (C) by striking “Commission’s” and insert-
22 ing “Association’s”;

23 (D) by redesignating paragraph (2) as sub-
24 section (b); and

1 (E) by redesignating subparagraphs (A)
2 and (B) as paragraphs (1) and (2), respectively.

3 **TITLE VI—OIL REGION**
4 **NATIONAL HERITAGE AREA**

5 **SEC. 601. SHORT TITLE; DEFINITIONS.**

6 (a) SHORT TITLE.—This title may be cited as the
7 “Oil Region National Heritage Area Act”.

8 (b) DEFINITIONS.—For the purposes of this title, the
9 following definitions shall apply:

10 (1) HERITAGE AREA.—The term “Heritage
11 Area” means the Oil Region National Heritage Area
12 established in section 603(a).

13 (2) MANAGEMENT ENTITY.—The term “man-
14 agement entity” means the Oil Heritage Region,
15 Inc., or its successor entity.

16 (3) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

18 **SEC. 602. FINDINGS AND PURPOSE.**

19 (a) FINDINGS.—The Congress finds the following:

20 (1) The Oil Region of Northwestern Pennsyl-
21 vania, with numerous sites and districts listed on the
22 National Register of Historic Places, and designated
23 by the Governor of Pennsylvania as one of the State
24 Heritage Park Areas, is a region with tremendous

1 physical and natural resources and possesses a story
2 of State, national, and international significance.

3 (2) The single event of Colonel Edwin Drake's
4 drilling of the world's first successful oil well in
5 1859 has affected the industrial, natural, social, and
6 political structures of the modern world.

7 (3) Six national historic districts are located
8 within the State Heritage Park boundary, in
9 Emlenton, Franklin, Oil City, and Titusville, as well
10 as 17 separate National Register sites.

11 (4) The Allegheny River, which was designated
12 as a component of the national wild and scenic riv-
13 ers system in 1992 by Public Law 102-271, tra-
14 verses the Oil Region and connects several of its
15 major sites, as do some of the river's tributaries
16 such as Oil Creek, French Creek, and Sandy Creek.

17 (5) The unspoiled rural character of the Oil Re-
18 gion provides many natural and recreational re-
19 sources, scenic vistas, and excellent water quality for
20 people throughout the United States to enjoy.

21 (6) Remnants of the oil industry, visible on the
22 landscape to this day, provide a direct link to the
23 past for visitors, as do the historic valley settle-
24 ments, riverbed settlements, plateau developments,
25 farmlands, and industrial landscapes.

1 (7) The Oil Region also represents a cross sec-
2 tion of American history associated with Native
3 Americans, frontier settlements, the French and In-
4 dian War, African Americans and the Underground
5 Railroad, and immigration of Swedish and Polish in-
6 dividuals, among others.

7 (8) Involvement by the Federal Government
8 shall serve to enhance the efforts of the Common-
9 wealth of Pennsylvania, local subdivisions of the
10 Commonwealth of Pennsylvania, volunteer organiza-
11 tions, and private businesses, to promote the cul-
12 tural, national, and recreational resources of the re-
13 gion in order to fulfill their full potential.

14 (b) PURPOSE.—The purpose of this title is to en-
15 hance a cooperative management framework to assist the
16 Commonwealth of Pennsylvania, its units of local govern-
17 ment, and area citizens in conserving, enhancing, and in-
18 terpreting the significant features of the lands, water, and
19 structures of the Oil Region, in a manner consistent with
20 compatible economic development for the benefit and in-
21 spiration of present and future generations in the Com-
22 monwealth of Pennsylvania and the United States.

23 **SEC. 603. OIL REGION NATIONAL HERITAGE AREA.**

24 (a) ESTABLISHMENT.—There is hereby established
25 the Oil Region National Heritage Area.

1 (b) BOUNDARIES.—The boundaries of the Heritage
2 Area shall include all of those lands depicted on a map
3 entitled “Oil Region National Heritage Area”, numbered
4 OIRE/20,000 and dated October, 2000. The map shall be
5 on file in the appropriate offices of the National Park
6 Service. The Secretary of the Interior shall publish in the
7 Federal Register, as soon as practical after the date of
8 the enactment of this Act, a detailed description and map
9 of the boundaries established under this subsection.

10 (c) MANAGEMENT ENTITY.—The management entity
11 for the Heritage Area shall be the Oil Heritage Region,
12 Inc., the locally based private, nonprofit management cor-
13 poration which shall oversee the development of a manage-
14 ment plan in accordance with section 605(b).

15 **SEC. 604. COMPACT.**

16 To carry out the purposes of this title, the Secretary
17 shall enter into a compact with the management entity.
18 The compact shall include information relating to the ob-
19 jectives and management of the area, including a discus-
20 sion of the goals and objectives of the Heritage Area, in-
21 cluding an explanation of the proposed approach to con-
22 servation and interpretation and a general outline of the
23 protection measures committed to by the Secretary and
24 management entity.

1 **SEC. 605. AUTHORITIES AND DUTIES OF MANAGEMENT EN-**
2 **TITY.**

3 (a) **AUTHORITIES OF THE MANAGEMENT ENTITY.—**

4 The management entity may use funds made available
5 under this title for purposes of preparing, updating, and
6 implementing the management plan developed under sub-
7 section (b). Such purposes may include—

8 (1) making grants to, and entering into cooper-
9 ative agreements with, States and their political sub-
10 divisions, private organizations, or any other person;

11 (2) hiring and compensating staff; and

12 (3) undertaking initiatives that advance the
13 purposes of the Heritage Area.

14 (b) **MANAGEMENT PLAN.—**The management entity
15 shall develop a management plan for the Heritage Area
16 that—

17 (1) presents comprehensive strategies and rec-
18 ommendations for conservation, funding, manage-
19 ment, and development of the Heritage Area;

20 (2) takes into consideration existing State,
21 county, and local plans and involves residents, public
22 agencies, and private organizations working in the
23 Heritage Area;

24 (3) includes a description of actions that units
25 of government and private organizations have agreed

1 to take to protect the resources of the Heritage
2 Area;

3 (4) specifies the existing and potential sources
4 of funding to protect, manage, and develop the Her-
5 itage Area;

6 (5) includes an inventory of the resources con-
7 tained in the Heritage Area, including a list of any
8 property in the Heritage Area that is related to the
9 themes of the Heritage Area and that should be pre-
10 served, restored, managed, developed, or maintained
11 because of its natural, cultural, historic, recreational,
12 or scenic significance;

13 (6) describes a program for implementation of
14 the management plan by the management entity, in-
15 cluding plans for restoration and construction, and
16 specific commitments for that implementation that
17 have been made by the management entity and any
18 other persons for the first 5 years of implementa-
19 tion;

20 (7) lists any revisions to the boundaries of the
21 Heritage Area proposed by the management entity
22 and requested by the affected local government; and

23 (8) includes an interpretation plan for the Her-
24 itage Area.

25 (c) DEADLINE; TERMINATION OF FUNDING.—

1 (1) DEADLINE.—The management entity shall
2 submit the management plan to the Secretary within
3 2 years after the funds are made available for this
4 title.

5 (2) TERMINATION OF FUNDING.—If a manage-
6 ment plan is not submitted to the Secretary in ac-
7 cordance with this subsection, the management enti-
8 ty shall not qualify for Federal assistance under this
9 title.

10 (d) DUTIES OF MANAGEMENT ENTITY.—The man-
11 agement entity shall—

12 (1) give priority to implementing actions set
13 forth in the compact and management plan;

14 (2) assist units of government, regional plan-
15 ning organizations, and nonprofit organizations in—

16 (A) establishing and maintaining interpre-
17 tive exhibits in the Heritage Area;

18 (B) developing recreational resources in
19 the Heritage Area;

20 (C) increasing public awareness of and ap-
21 preciation for the natural, historical, and archi-
22 tectural resources and sites in the Heritage
23 Area;

24 (D) the restoration of any historic building
25 relating to the themes of the Heritage Area;

1 (E) ensuring that clear signs identifying
2 access points and sites of interest are put in
3 place throughout the Heritage Area; and

4 (F) carrying out other actions that the
5 management entity determines to be advisable
6 to fulfill the purposes of this title;

7 (3) encourage by appropriate means economic
8 viability in the Heritage Area consistent with the
9 goals of the management plan;

10 (4) consider the interests of diverse govern-
11 mental, business, and nonprofit groups within the
12 Heritage Area; and

13 (5) for any year in which Federal funds have
14 been provided to implement the management plan
15 under subsection (b)—

16 (A) conduct public meetings at least annu-
17 ally regarding the implementation of the man-
18 agement plan;

19 (B) submit an annual report to the Sec-
20 retary setting forth accomplishments, expenses
21 and income, and each person to which any
22 grant was made by the management entity in
23 the year for which the report is made; and

24 (C) require, for all agreements entered into
25 by the management entity authorizing expendi-

1 ture of Federal funds by any other person, that
2 the person making the expenditure make avail-
3 able to the management entity for audit all
4 records pertaining to the expenditure of such
5 funds.

6 (e) PROHIBITION ON THE ACQUISITION OF REAL
7 PROPERTY.—The management entity may not use Fed-
8 eral funds received under this title to acquire real property
9 or an interest in real property.

10 **SEC. 606. DUTIES AND AUTHORITIES OF THE SECRETARY.**

11 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

12 (1) IN GENERAL.—

13 (A) OVERALL ASSISTANCE.—The Secretary
14 may, upon the request of the management enti-
15 ty, and subject to the availability of appropria-
16 tions, provide technical and financial assistance
17 to the management entity to carry out its du-
18 ties under this title, including updating and im-
19 plementing a management plan that is sub-
20 mitted under section 605(b) and approved by
21 the Secretary and, prior to such approval, pro-
22 viding assistance for initiatives.

23 (B) OTHER ASSISTANCE.—If the Secretary
24 has the resources available to provide technical
25 assistance to the management entity to carry

1 out its duties under this title (including updat-
2 ing and implementing a management plan that
3 is submitted under section 605(b) and approved
4 by the Secretary and, prior to such approval,
5 providing assistance for initiatives), upon the
6 request of the management entity the Secretary
7 shall provide such assistance on a reimbursable
8 basis. This subparagraph does not preclude the
9 Secretary from providing nonreimbursable as-
10 sistance under subparagraph (A).

11 (2) PRIORITY.—In assisting the management
12 entity, the Secretary shall give priority to actions
13 that assist in the—

14 (A) implementation of the management
15 plan;

16 (B) provision of educational assistance and
17 advice regarding land and water management
18 techniques to conserve the significant natural
19 resources of the region;

20 (C) development and application of tech-
21 niques promoting the preservation of cultural
22 and historic properties;

23 (D) preservation, restoration, and reuse of
24 publicly and privately owned historic buildings;

1 (E) design and fabrication of a wide range
2 of interpretive materials based on the manage-
3 ment plan, including guide brochures, visitor
4 displays, audio-visual and interactive exhibits,
5 and educational curriculum materials for public
6 education; and

7 (F) implementation of initiatives prior to
8 approval of the management plan.

9 (3) DOCUMENTATION OF STRUCTURES.—The
10 Secretary, acting through the Historic American
11 Building Survey and the Historic American Engi-
12 neering Record, shall conduct studies necessary to
13 document the industrial, engineering, building, and
14 architectural history of the Heritage Area.

15 (b) APPROVAL AND DISAPPROVAL OF MANAGEMENT
16 PLANS.—The Secretary, in consultation with the Governor
17 of Pennsylvania, shall approve or disapprove a manage-
18 ment plan submitted under this title not later than 90
19 days after receiving such plan. In approving the plan, the
20 Secretary shall take into consideration the following cri-
21 teria:

22 (1) The extent to which the management plan
23 adequately preserves and protects the natural, cul-
24 tural, and historical resources of the Heritage Area.

1 (2) The level of public participation in the de-
2 velopment of the management plan.

3 (3) The extent to which the board of directors
4 of the management entity is representative of the
5 local government and a wide range of interested or-
6 ganizations and citizens.

7 (c) ACTION FOLLOWING DISAPPROVAL.—If the Sec-
8 retary disapproves a management plan, the Secretary shall
9 advise the management entity in writing of the reasons
10 for the disapproval and shall make recommendations for
11 revisions in the management plan. The Secretary shall ap-
12 prove or disapprove a proposed revision within 90 days
13 after the date it is submitted.

14 (d) APPROVING CHANGES.—The Secretary shall re-
15 view and approve amendments to the management plan
16 under section 605(b) that make substantial changes.
17 Funds appropriated under this title may not be expended
18 to implement such changes until the Secretary approves
19 the amendments.

20 (e) EFFECT OF INACTION.—If the Secretary does not
21 approve or disapprove a management plan, revision, or
22 change within 90 days after it is submitted to the Sec-
23 retary, then such management plan, revision, or change
24 shall be deemed to have been approved by the Secretary.

1 **SEC. 607. DUTIES OF OTHER FEDERAL ENTITIES.**

2 Any Federal entity conducting or supporting activi-
3 ties directly affecting the Heritage Area shall—

4 (1) consult with the Secretary and the manage-
5 ment entity with respect to such activities;

6 (2) cooperate with the Secretary and the man-
7 agement entity in carrying out their duties under
8 this title and, to the maximum extent practicable,
9 coordinate such activities with the carrying out of
10 such duties; and

11 (3) to the maximum extent practicable, conduct
12 or support such activities in a manner that the man-
13 agement entity determines shall not have an adverse
14 effect on the Heritage Area.

15 **SEC. 608. SUNSET.**

16 The Secretary may not make any grant or provide
17 any assistance under this title after the expiration of the
18 15-year period beginning on the date that funds are first
19 made available for this title.

20 **SEC. 609. REQUIREMENTS FOR INCLUSION OF PRIVATE**
21 **PROPERTY.**

22 (a) NOTIFICATION AND CONSENT OF PROPERTY
23 OWNERS REQUIRED.—No privately owned property shall
24 be preserved, conserved, or promoted by the management
25 plan for the Heritage Area until the owner of that private
26 property has been notified in writing by the management

1 entity and has given written consent for such preservation,
2 conservation, or promotion to the management entity.

3 (b) LANDOWNER WITHDRAW.—Any owner of private
4 property included within the boundary of the Heritage
5 Area shall have their property immediately removed from
6 the boundary by submitting a written request to the man-
7 agement entity.

8 **SEC. 610. PRIVATE PROPERTY PROTECTION.**

9 (a) ACCESS TO PRIVATE PROPERTY.—Nothing in
10 this title shall be construed to—

11 (1) require any private property owner to allow
12 public access (including Federal, State, or local gov-
13 ernment access) to such private property; or

14 (2) modify any provision of Federal, State, or
15 local law with regard to public access to or use of
16 private property.

17 (b) LIABILITY.—Designation of the Heritage Area
18 shall not be considered to create any liability, or to have
19 any effect on any liability under any other law, of any pri-
20 vate property owner with respect to any persons injured
21 on such private property.

22 (c) RECOGNITION OF AUTHORITY TO CONTROL LAND
23 USE.—Nothing in this title shall be construed to modify
24 the authority of Federal, State, or local governments to
25 regulate land use.

1 (d) PARTICIPATION OF PRIVATE PROPERTY OWNERS
2 IN HERITAGE AREA.—Nothing in this title shall be con-
3 strued to require the owner of any private property located
4 within the boundaries of the Heritage Area to participate
5 in or be associated with the Heritage Area.

6 (e) EFFECT OF ESTABLISHMENT.—The boundaries
7 designated for the Heritage Area represent the area within
8 which Federal funds appropriated for the purpose of this
9 title may be expended. The establishment of the Heritage
10 Area and its boundaries shall not be construed to provide
11 any nonexisting regulatory authority on land use within
12 the Heritage Area or its viewshed by the Secretary, the
13 National Park Service, or the management entity.

14 **SEC. 611. USE OF FEDERAL FUNDS FROM OTHER SOURCES.**

15 Nothing in this title shall preclude the management
16 entity from using Federal funds available under Acts other
17 than this title for the purposes for which those funds were
18 authorized.

19 **SEC. 612. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) IN GENERAL.—There are authorized to be appro-
21 priated to carry out this title—

22 (1) not more than \$1,000,000 for any fiscal
23 year; and

24 (2) not more than a total of \$10,000,000.

1 (b) 50 PERCENT MATCH.—Financial assistance pro-
2 vided under this title may not be used to pay more than
3 50 percent of the total cost of any activity carried out with
4 that assistance.

Passed the House of Representatives July 19, 2004.

Attest:

Clerk.